

CODE ENFORCEMENT BOARD
1st FLOOR COMMISSION CHAMBER
FORT LAUDERDALE CITY HALL
100 NORTH ANDREWS AVENUE
JANUARY 28, 2014
9:00 A.M.

<u>Board Members</u>	<u>Attendance</u>	Cumulative attendance 2/2013 through 1/2014	
		<u>Present</u>	<u>Absent</u>
Howard Elfman, Chair	P	11	0
Chad Thilborger, Vice Chair	P	11	0
Paul Dooley	P	10	1
Genia Ellis	P	11	0
Joan Hinton	P	9	2
Howard Nelson	P	9	2
Jan Sheppard	P	9	2
PJ Espinal [Alternate]	A	2	9
Joshua Miron [Alternate]	A	2	9
Robert Smith [Alternate]	P	7	4

Staff Present

Bruce Jolly, Board Attorney
 Ginger Wald, Assistant City Attorney
 Yvette Ketor, Secretary, Code Enforcement Board
 Skip Margerum, Community Inspections Supervisor
 Lori Grossfeld, Clerk III
 Peggy Burks, Clerk III
 Shani Allman, Clerk III
 Jeri Pryor, Code Enforcement Supervisor/Clerk
 Robert Masula, Building Inspector
 George Oliva, Building Inspector
 Gerry Smilen, Building Inspector
 Junia Robinson, Neighbor Support Coordinator
 Jamie Opperee, Prototype Inc., Recording Secretary

Communication to the City Commission

None.

Respondents and Witnesses

CE12090938: Raphael Sopher, owner
 CE11072308: Alan Certain, owner
 CE13110477: Dylan Lagi, owner
 CE12121194: Yoav Peretz, agent

CE12030025: Carlos Chavez, owner
CE13051956: Gayle Cohen, owner
CE10070539: Destin Petit, owner
CE13100729: Tony Bernard, owner's representative
CE13020243: Joel Pierce, agent
CE13082132: Anthony Gondola, consultant; Dennis DeMartin, owner
CE13051217: Leonor Jules, owner
CE13051087: Pierre Plancher, the owner's son; Andrew Plancher, owner
CE12070510: Geraldo Nunez, owner
CE12050811: Patrick Reeder, owner
CE12111315: John Aurelius, attorney; Richard Forum, owner
CE12020630: Charles Falcone, owner
CE13060564: Jonathan Sela, tenant
CE12010620: Luis Castillo, owner
CE13090550: Boris Gavergun, owner
CE12060451: Alfred Orbegoza, owner's husband
CE13071653: Boris Barcelo, property manager
CE13100827: Donald Scott, owner
CE13051046: Errol Lloyd Smith, owner
CE13090035: James Hurchalla, attorney
CE13010761: Tracy Berkman, attorney
CE13031575: Peter Pedelty, owner; Jeffrey Pedelty, owner's brother
CE12030489: Hamilton Forman, attorney
CE09020070: Stephanie Toothaker, attorney; Robert Keesler, owner
CE13020852: Sabrina Cabanas, property manager; Bryan Koch, owner
CE11100499: Michael James, owner
CE13030717: Michael Jerry, owner
CE13082108: James Riley, owner
CE11121644: Edwin Stacker, attorney
CE13091496: Anthony Soroka, attorney
CE09040018: Jessica Bridges, bank attorney
CE13010301: David Machado, owner

Chair Elfman called the meeting to order at 9:02 a.m., introduced Board members and explained the procedures for the hearing.

Individuals wishing to speak on any of the cases on today's agenda were sworn in.

Case: CE12050811

1308 Citrus Isle
REEDER, PATRICK

This case was first heard on 9/25/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$620 fine, which would continue to accrue until the property complied. Service was via posting on the property on 1/7/14 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, reported all permits had been issued and the case was complied. He recommended a fine of \$2,480 to cover administrative costs.

Patrick Reeder, owner, requested abatement of the fine.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and to impose a fine of \$2,480 for the days the property was out of compliance. In a voice vote, motion passed 7-0.

Case: CE09040018

3220 Northwest 63 Street
KEARSE, EVE

This case was first heard on 3/23/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,480 fine, which would continue to accrue until the property complied. Service was via posting on the property on 1/23/14 and at City Hall on 1/16/14.

Jessica Bridges, bank attorney, stated the judgment was entered on 11/7/13 and the sale was set for 3/11/14. She said the City was not joined as a defendant in the foreclosure.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to find that the violations were not complied by the Order date, and to impose the fine of \$2,480, which would continue to accrue until the property was complied. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE09020070

2000 North Ocean Boulevard # HOTEL
URBANA PELICAN GRAND I LLC

This case was first heard on 2/22/11 to comply by 3/22/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was

requesting imposition of the fine, which would continue to accrue until the property complied. Service was via posting on the property on 1/7/14 and at City Hall on 1/16/14.

Stephanie Toothaker, attorney, did not request an extension and reported the permit applications had been submitted. She thanked the City for its support.

Robert Masula, Building Inspector, stated the case had been opened 2/2/09 and at the end of the week, it would be five years that the illegal structure had been present and in use on the property. He confirmed that the permit application had been submitted on 1/23/14. The City did not support an extension and he requested that the fines begin to accrue.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 1/29/14 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE13110477

313 Northeast 2 Street # 701
LAGI, DYLAN MATTHEW

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violations:
FBC(2010) 105.1

FULL BATHROOM REMODELING IS BEING DONE WITHOUT THE
REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.4

FULL BATHROOM REMODELING IS BEING DONE WITHOUT THE
REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula said the case was begun pursuant to a complaint by the building management company. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Dylan Lagi, owner, stated he was working with the Building Department regarding the remodeling and the application had been submitted the previous day. Mr. Lagi thought it would take one month to comply. He confirmed that the work was already complete.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Ms. Ellis opposed.

Case: CE11100499

2330 Northwest 13 Street
JAMES, MICHAEL L

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, said there had been a delay concerning a tenant and recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13060564

1339 Northeast 14 Avenue
CHAI LV LLC

This case was first heard on 7/23/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Jonathan Sela, tenant, said he was trying to locate a less expensive architect to draw plans for the carport. He said there was also a problem with the contractor regarding the window and plumbing and he must hire a new one. He requested additional time.

Robert Masula, Building Inspector, reported Mr. Sela could not pull an owner/builder permit because he was not the owner. He recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11072308

300 Southwest 12 Street
CERTAIN PROPERTIES LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported there had been no permit activity but the owner had informed him before the meeting that he had met with the Building Department and was moving toward pulling a permit.

Alan Certain, owner, said he had experienced difficulty locating a contractor. He had met with Chris Augustin, Building Official and Greg Brewton, Zoning Administrator, to determine what must be done. He reported he had hired a contractor the previous week and requested 30 days.

Inspector Masula stated a change of use was required.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10070539

637 W Evanston Cir
PETIT, DESTIN
MANCOEUR, GINA

This case was first heard on 8/27/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the roof permit had been renewed but had failed inspection. The inspector had requested an engineer's letter but this had not been provided yet. No other permit applications had been submitted. Inspector Oliva stated he did not support another extension.

Junia Robinson, Neighbor Support Coordinator, served as interpreter for the owner, Destin Petit. Mr. Petit explained that the "construction person" he had hired to fix the window had moved and he could not locate him.

Mr. Nelson remembered discussing this with Mr. Petit at a previous hearing and stressed that Mr. Petit still needed to get bathroom and window permits, for which he must hire a contractor.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE13051046

1632 Northwest 18 Avenue
SMITH, ERROL &
HANLEY, DIANA

This case was first heard on 8/27/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the owner had addressed some of the violations and only the plumbing violation remained. He recommended an extension.

Errol Smith, owner, requested a 56-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13051956

601 North Rio Vista Boulevard
YANOFKY FAMILY LP

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, said he needed to verify that the illegal parking spaces had been removed and the open sanitary pipes had been capped.

Gayle Cohen, owner, stated all violations were complied and needed to be inspected.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12030489

1843 Southwest 4 Avenue
HATCHER, RICHARD

This case was first heard on 7/24/12 to comply by 9/25/12. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported that three violations were now complied. Permits were still needed for work that had been done.

Hamilton Forman, attorney, stated the porch had been enclosed before Mr. Hatcher purchased the house in 1985. He described the configuration of the porch and said two

alternatives were for Mr. Hatcher to lose living space or obtain an after the fact permit for the work that was done. He requested additional time to resolve the issue, explaining that he was working with volunteers. Mr. Forman said the owner wanted to maintain the living space and they were making progress. He requested a 90-day extension.

Mr. Nelson suggested some work that could be done to continue making progress, but Mr. Forman replied that this work would be included in the drawings they were awaiting.

Ms. Sheppard asked if Mr. Hatcher was renting the property and Mr. Forman explained that Mr. Hatcher lived in the property but he did not lock the front door and "people in recovery" sometimes came by the property and stayed for a time, but he did not rent to people. He was unsure Mr. Hatcher had "the will personally to say no sometimes to people."

Inspector Smilen stated according to the Florida Building Code, if 25% or fewer of the windows were replaced, shutters were not required.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 84-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE12070510

1300 Northeast 1 Avenue
SIGARAN, GERALDO M JR

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied.

Geraldo Sigaran, owner, reported he had picked up the permits the previous day. Board members inspected the permits.

Robert Masula, Building Inspector, reported the case was complied with the issuance of the permits.

Case: CE12111315

1319 Southwest 1 Avenue
FORUM, RICHARD B & LINDA S

This case was first heard on 10/22/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

John Aurelius, attorney, reported the awning had been removed and the owner had purchased a trailer for the shed which, according to City staff, would comply the violation.

Gerry Smilen, Building Inspector, explained that if the shed were on a trailer it was no longer considered a structure so the Building Code no longer applied. He agreed to reinspect and verify whether the awning had been removed.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13020243

808 Southwest 2 Street
JANZAN, RUSSEL A S

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 1/29/14 and would continue to accrue until the property complied. Personal service was made to the tenant on 1/7/14.

Gerry Smilen, Building Inspector, reported FBC 105.1 was now complied; the shed had been removed.

Joel Pierce, agent, explained this was an historical property and he would go before the Historic Preservation Board in March to request after the fact permits for the addition. If the request was granted, he would hire a contractor. If the request was denied, the addition would be torn down.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12090938

207 Northwest 7 Avenue
SOPHER INVESTMENTS INC

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported all the violations were complied except for the parking. He recommended an extension to resolve the parking issue.

Raphael Sopher, owner, stated he had merged this property with an adjacent property he also owned into one folio number. He stated the permit had been issued by the City

but he was in the process of applying for financial assistance from the Community Redevelopment Program [CRB] for the parking and landscaping improvements. He said he would submit his application to the CRB within two weeks. Mr. Sopher reminded the Board that the property was vacant and would remain so until the issues were addressed.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12121194

318 Southwest 23 Street
ALBO INVESTMENTS LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the plans had been taken out for corrections in December 2013. He believed the owner's representative had the corrected plans to re-submit. Inspector Smilen recommended a 28-day extension.

Yoav Peretz, agent, said he was working on getting the permit issued.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13091496

2900 Northeast 30 Street
LAUDERDALE TOWER CONDO ASSN INC

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported there had been no permit activity.

Anthony Soroka, attorney, confirmed that the developer had reconfigured handicapped spaces when the building was converted to condos. They had hired a paving contractor to draw a paving/stripping plan and to perform an updated survey reflecting the updated parking configuration. He requested 56 days to submit an application for an after the fact permit. Mr. Soroka confirmed for Mr. Nelson that the handicapped parking spaces were sufficient and had logical continuity to the building and therefore met the requirements.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020630

1333 Northeast 2 Avenue
FALCONE, CHARLES H/E
FALCONE, JOSEPHINE

This case was first heard on 11/27/12 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 1/29/14 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 1/8/14.

George Oliva, Building Inspector, reported the windows permit had been issued but not inspected, the shutter permit was in progress and the shed permit was ready to be issued. He recommended a 28-day extension.

Charles Falcone, owner, said he was making progress. He stated he wanted to get estimates for the shutters and requested additional time.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Mr. Dooley opposed.

Case: CE13030717

2412 Cat Cay Lane
JERRY, JOLIE C
JERRY, MICHAEL V

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the plans for the master permit had been taken out for corrections in September 2013 and had not been returned with revisions. He did not recommend an extension. He informed the Board that there was a tenant occupying the property.

Michael Jerry, owner, said the permit applications had been submitted a month ago but the contractor's insurance had expired. The contractor had promised to take care of it but had then gone to Brazil. He had returned but Mr. Jerry had not yet heard from him to confirm. Once the insurance issue was resolved, they would resubmit the application and move ahead with the work. He confirmed there was a tenant in the property.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 119-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion **failed** 0-7.

Case: CE11121644

2765 Northeast 14 Street # PH1(PHW)
FALK, CHARLES E SR

This case was first heard on 10/23/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, stated the application had been out for corrections since March 2013.

Edwin Stacker, attorney, said the Board of Adjustment had denied the request for a rehearing and the owner had applied to appeal their decision. He requested a 90-day extension. Mr. Stacker informed Mr. Nelson that the boat was still on the lift but he did not know whether or not the lift was being used.

Ms. Wald confirmed the owner had appealed the decision of the Board of Adjustment but the City had not received an order to file a response yet.

Mr. Nelson noted that removing the boat lift would have an environmental impact, and since they did not know the outcome of the appeal, he wished the owner to agree not to utilize the boat lift until this matter was decided. Mr. Stacker agreed to discuss this with the owner, but admitted he could not promise it.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE13010761

1721 Northwest 6 Avenue
K & K ASSETS LLC
% DUMAS & MCPHAIL

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported there had been no progress. He believed the bank had taken back the house.

Tracy Berkman, attorney for the owner, said the owner had hired a contractor to pull the permits and do the work and requested 60 days. She informed Mr. Nelson that the

owner was not aware of the violations until months after purchasing the property. Ms. Berkman informed the Board that there was no tenant at this time.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 175-day extension to 7/22/14, during which time no fines would accrue. In a voice vote, motion **failed** 0-7.

Case: CE12060451

1546 Southwest 24 Street
ORBEGOZO, NANCY

This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the owner had not submitted a permit application for the fence.

Alfred Orbegoza, the owner's husband, said the original drawings that had been approved by the County had included the fence, but he now needed to get a separate fence permit.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12030025

516 Northwest 21 Terrace
NY INVESTMENT GROUP LLC

This case was first heard on 10/22/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the window permit had been issued but not inspected. No other permits applications had been submitted for work done to address damage caused by a fire.

Carlos Chavez, owner, said he had the blueprints for the master permit but he was waiting for paperwork from the engineer regarding the roof to submit with the application.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13051087

1107 Northwest 15 Street
PLANCHER, ANDRE N

This case was first heard on 8/27/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported there had been no effort to comply and did not recommend any extension.

Pierre Plancher, the owner's son, spoke for his father, Andrew Plancher, the owner, who was present. He said he should be able to pull the permit in one to two weeks. They wanted to hire the contractor who had done the work to inspect the house and he was supposed to attend this hearing, but he had not shown up. Mr. Plancher requested an extension. He explained that his father and three sisters and their children lived in the building.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13100827

1609 Northwest 11 Street
SCOTT, DONALD H/E
HYDE, MARY LEE & SC

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported no permit application had been submitted. He could not confirm that work had not continued after the Stop Work Order was issued, but confirmed the property was occupied.

Donald Scott, owner, said he occupied the property and work had not continued after the Stop Work Order was issued. He said he had been relocating his recently deceased father's belongings. Mr. Scott agreed he would apply for the permit later in the week.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Mr. Dooley opposed.

Case: CE12010620

1401 Northeast 3 Avenue
CASTILLO-OLIVERA, LUIS R

This case was first heard on 6/25/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported FBC 105.4.5 was complied but there was no permit activity regarding FBC 105.1.

Luis Castillo-Olivera, owner, reminded the Board that he had been unaware of the violations when he purchased the home in 2012. He stated he had hired a project manager who had stopped helping him and no longer returned his calls. He described work he had done to comply and his difficulty finding a contractor. Mr. Castillo-Olivera requested time to obtain financing for the rest of the work.

Inspector Smilen confirmed that Mr. Castillo-Olivera could pull the permits himself as owner/builder but he would need a design professional for the window openings and glass block.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a brief break.

Case: CE13031575

1725 Southwest 5 Street
PEDELTY, JEFFREY J
PEDELTY, PETER

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 1/29/14 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 1/9/14.

Gerry Smilen, Building Inspector, said there was little to report and he did not recommend an extension. He said the community was upset about this situation and displayed a photo that had been sent to him by a neighbor. Inspector Smilen was unsure it was safe for the owner to occupy the house. He stated there was work going on without permits and further action needed to be taken.

Peter Pedelty, owner, said someone at the City had informed that provided the work did not cost more than \$1,500 he did not need a permit. So far, the work had only cost \$500. Inspector Smilen explained that structural repairs were different; they required a design detail from a professional. This work was a structural repair and therefore it did require a permit.

Mr. Nelson clarified that the \$1,500 exclusion applied to roof *covering* only, not structural members. Inspector Smilen said Mr. Pedelty could pull an owner/builder permit and do the work, but he must have plans drawn by a design professional.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Mr. Nelson opposed.

Case: CE13100729

735 Northeast 13 Court
CHAMOUN, FOUAD

Service was via posting on the property on 1/21/14 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violations:
FBC(2010) 105.1

WORK INCLUDES BUT IS NOT LIMITED TO:

1. NEW FRONT ENTRY DOOR.
2. TWO NEW WINDOWS REPLACED.
3. TWO SECTIONS OF FENCE IN THE BACKYARD WERE INSTALLED.
4. OUTSIDE A/C UNIT REPLACED.

FBC(2010) 105.4.11

THE OUTSIDE A/C UNIT HAS BEEN REPLACED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.15

THE FRONT DOOR AND TWO WINDOWS HAVE BEEN REPLACED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.18

TWO SECTIONS OF FENCE HAVE BEEN INSTALLED IN THE BACKYARD WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Tony Bernard, the owner's representative, said they had already pulled fence and window permits and hoped to have the air conditioner permit by the end of the month. He requested 60 days. Mr. Bernard confirmed that all units in the building were occupied and a licensed contractor had done the work.

Inspector Masula reported the fence permit application had been submitted but a window permit application had not.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13010301

3716 Southwest 17 Street
MACHADO, DAVID

Service was via posting on the property on 1/13/14 and at City Hall on 1/16/14.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THIS PROPERTY HAS BEEN SPLIT INTO A 2 FAMILY DWELLING.
2. THE LIVING ROOM WINDOWS WERE REPLACED.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A SINGLE FAMILY TO A MULTI-FAMILY DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva said the case was opened pursuant to a neighborhood complaint. He submitted photos of the property and said the tenant and fence had been removed and the only violation was for the windows in the living room. Inspector Oliva presented the

Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation. He confirmed that the house had been reconverted back to a single-family dwelling.

David Machado, owner, said the window had already been installed when he purchased the home. He had already hired a contractor to pull the permit and install a new window.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13082132

834 Northeast 14 Avenue
DEMARTIN, DENNIS R H/E
JOHNSTON, JOELLEN

Certified mail sent to the owner was accepted on 12/27/13.

Gerry Smilen, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH
THE ENCLOSURE OF A SIDE PORCH WITHOUT A PERMIT.

FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH THE
ENCLOSURE OF THE SIDE PORCH WITHOUT A PERMIT.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day, per violation.

Anthony Gondola, consultant, said he had consulted with an architect regarding the structure and requested 90 days to pull the permits.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13020852

2223 Northwest 9 Court
DALLAND PROPERTIES L P

Certified mail sent to the owner was accepted on 12/12/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS, INSPECTIONS AND THE CERTIFICATE OF
OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THE OWNERS ADDED TWO EXTRA BEDROOMS AND A BATH
TO THIS DWELLING. THE PROPERTY WAS REROOFED
BETWEEN 2006 & 2007 WITHOUT A PERMIT AND IN 1997
IT WAS REROOFED WITH A PERMIT THAT WAS LEFT TO
EXPIRE.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case was begun pursuant to a complaint from the Broward County Property Appraiser. He submitted photos of the property taken by the Property Appraiser and noted that a previous owner had replaced the roof. Inspector Oliva submitted the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Sabrina Cabanas, property manager, reported the property was vacant. She said the company assigned to oversee this property had recently been let go and she would take the property through the compliance process.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13090035

1645 E Lake Drive
R LEON WHITWORTH TR
WHITWORTH, R LEON TRSTEE

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE PROPERTY HAS BEEN ALTERED WITH ALTERATION OF A
PAVER AREA NEAR THE SEA WALL.

Inspector Smilen reported the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day.

James Hurchalla, the owner's attorney, agreed they would pull the permit within the next two months.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$35 per day would begin to accrue and to record the order. In a roll call vote, motion failed 2-5 with only Ms. Sheppard and Mr. Nelson in favor.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 2/25/14 or a fine of \$15 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Mr. Dooley opposed.

Case: CE13051217

1091 Northwest 21 Street
JULES, PAULINE

Certified mail sent to the owner was accepted on 12/12/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS, INSPECTIONS AND THE CERTIFICATE OF
OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THE ADDED ADDITION FOR A FLORIDA ROOM TO THE
REAR OF THE DWELLING HAS BEEN CONVERTED INTO A
RENTAL UNIT. THIS SINGLE FAMILY DWELLING IS BEING
USED AS A DUPLEX.
2. A CENTRAL A/C HAS BEEN INSTALLED IN THE
DWELLING WITH DUCT WORK AND ELECTRICAL HOOK-UP.
COMPLIED 1/7/14.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A SINGLE FAMILY TO A MULTI-FAMILY DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva reported the case was begun pursuant to a complaint from the Broward County Property Appraiser. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Leonor Jules, owner, stated the property had not been converted and he had already asked someone from the City to confirm this. He invited Inspector Oliva to visit the property to inspect.

The City withdrew the case.

Case: CE13090550

1500 Southeast 15 Street # 313
GAVERGUN, BORIS

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, testified to the following violation:

FBC(2010) 105.1

THE CONDOMINIUM UNIT HAS BEEN ALTERED WITH THE INSTALLATION OF A FIXED GLASS PANEL IN THE FRONT DOOR WITHOUT A PERMIT.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day.

Boris Gavergun, owner, said the previous owner had informed him that a contractor had installed the jalousie in several doors in the building 15 years ago. Mr. Nelson said Mr. Gavergun might need approval from the condo association. Inspector Smilen confirmed

that because this was a condo, Mr. Gavergun needed to hire a contractor; he could not pull an owner/builder permit.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13082108
2542 Laguna Drive
2542 LAGUNA LLC

Certified mail sent to the owner was accepted on 12/23/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.4.18

A FENCE HAS BEEN INSTALLED AROUND THE DOCK AREA
WITHOUT A PERMIT.

Inspector Smilen said the case had begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day.

Jim Riley, owner, said he had installed the fence after an incident in which his child had fallen into the water from the dock. He had researched the Florida Building Code and Fort Lauderdale ordinances and determined there was no prohibition against installing a fence on a dock, but still the City had refused to consider his application. Mr. Riley stated, "Eventually I found somebody who said, 'you know what, it's just kind of tradition in Fort Lauderdale, it's not really written into the law and I can't advise you, but if you're still worried about your kids, just put the fence on the dock, if your neighbors are nice, you won't have any issues.'" He described at length the research he had done regarding this issue and said he had determined that the City's refusal to issue a permit was improper and not based on local ordinances or the Florida Building Code. He asked the Board to review this and ask the Building Department to issue the permit.

Mr. Riley confirmed for Mr. Nelson that he had not looked at the procedure for appealing the decision to deny the permit. Mr. Nelson felt the time to file an appeal had probably passed. Mr. Riley stated it was the Building Official who had advised him to construct the fence even though the permit had been denied.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$15 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Mr. Dooley opposed

Case: CE13071653

1604 Southwest 9 Street
MIDLAND ATLANTIC LLC

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN
ALTERED WITH THE INSTALLATION OF ELECTRICAL WIRING
ENCASED IN CONDUIT RUNNING OVER THE ROOF LINE
WITHOUT A PERMIT.

Chair Elfman recused himself from this case and temporarily left the dais.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day, per violation. He stated the property appeared to be occupied.

Boris Barcelo, property manager, said he had hired a contractor and he was moving forward with compliance. He requested time to pull a permit and have the work done. Inspector Smilen confirmed that the permit application had been submitted and rejected the previous day. Mr. Barcelo confirmed that the property was occupied.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 2/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0 with Chair Elfman recusing himself.

The Board took a brief break.

Case: CE10070600

884 W Dayton Cir
JPMORGAN CHASE BANK

Certified mail sent to the owner was accepted on 12/13/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THIS SINGLE FAMILY DWELLING WAS SPLIT INTO TWO RENTAL UNITS.
2. THE WINDOWS WERE REPLACED WITHOUT PERMITS.
3. A KITCHEN WAS INSTALLED INSIDE THE SECOND UNIT.

FBC(2007) 109.10

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Inspector Oliva said the Bank had taken back the property on 7/26/13 and the window permit from October 2010 was in the name of the bank.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 2/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE11121557

2344 Northwest 14 Street
MITCHELL, ERIC
HUDSON, GUSSIE

Certified mail sent to the owner was accepted on 12/23/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THIS BUILDING HAS BEEN CHANGED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE C.O. FROM THE CITY BUILDING DEPARTMENT. A STOP WORK ORDER WAS ISSUED:

1. THE DWELLING'S WINDOWS AND MAIN DOOR WERE REPLACED.

2. PERMIT #07052580 FOR A CONCRETE DRIVEWAY WAS VOID BUT THE WORK WAS PERFORMED.
3. INTERIOR RENOVATION IN THE KITCHEN AND BATHROOMS.
4. CENTRAL A/C WAS INSTALLED.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. PLUMBING ALTERATIONS ARE BEING DONE TO REMODEL THE KITCHEN AND BATHROOMS INSIDE THE DWELLING WITH NEW WASTE AND HOT AND COLD WATER PIPES THAT ARE BEING HOOKED-UP TO THE NEW PLUMBING FIXTURES.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ALTERATIONS ARE BEING DONE TO THE ELECTRICAL SYSTEM TO REMODEL THE INTERIOR OF THE DWELLING WITH NEW CIRCUITS TO THE CENTRAL A/C, LIGHTS AND WALL OUTLETS. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD RATING THAT WAS PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE HAZARD.

FBC(2007) 105.4.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. THE PREVIOUS OWNER INSTALLED A CENTRAL A/C WITH DUCT WORK AND ELECTRICAL HEATERS.

Inspector Oliva stated the case was begun on 12/21/2011 pursuant to a complaint from a Code Enforcement Officer and a Stop Work Order had been issued on 12/19/2011. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation. He stated the owner had pulled permits to upgrade the electric and to re-roof but still needed permits for interior work and mechanical systems.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13051048

900 Northwest 17 Avenue

KIDAR, DAVID

KIDAR, SHAUL

% BENNY DEHRY

Certified mail sent to the owner was accepted on 12/13/13.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT.

1. AS AN ILLEGAL CONVERSION INTO THREE RENTAL UNITS:

A. ELECTRICAL HAZARDS

B. CARPORT WAS ENCLOSED FOR STORAGE ROOM WITHOUT A PERMIT. IT HAS BEEN CONVERTED INTO LIVING SPACE AND IS BEING RENTED.

C. EXPIRED BUILDING PERMIT FOR BATHROOM UPGRADE.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A DOUBLE FAMILY (DUPLEX) TO A THREE-FAMILY (TRIPLEX) DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13070636

2400 Northwest 62 Street # 150
D.H.S. INVESTMENTS LLC

Certified mail sent to the registered agent was accepted on 12/20/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

ALTERATIONS ARE BEING DONE WITHOUT PERMITS. A
STOP WORK ORDER WAS ISSUED FOR WORKING WITHOUT
PERMITS:

1. INTERIOR REMODELING.
2. THE FLOOR PLAN IS BEING CHANGED.
3. NEW ELECTRIC CIRCUITS FOR WALL OUTLETS AND
CEILING LAMPS OR OLD ONES ARE BEING RELOCATED.
4. THE AIR DUCTS SUPPLY IS BEING RUN TO THE NEW
OFFICE AREAS.
5. PLUMBING WORK TO BUILD A KITCHEN AREA IS IN
PROGRESS.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva stated the case was begun pursuant to an email from the Assistant Fire Marshal regarding work being done without permit inside the unit. He stated the property was owned by the City of Fort Lauderdale and subleased to the management company, who had hired the people to do the work in the unit. Inspector Oliva had posted a Stop Work Order on the property and at the management office but work had continued and a tenant moved in. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. Inspector Oliva had spoken to "the person in charge of the airport" who had referred him to the management company. He said there had been no effort to comply and recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

Inspector Oliva confirmed for Ms. Ellis that the property owner was the City of Fort Lauderdale and she pointed out that the City should be cited as the owner.

The City withdrew the case.

Case: CE12080842

2425 Northeast 26 Avenue
RUBENSTEIN, PAUL C
PAUL C RUBENSTEIN REV TR

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE DECORATIVE BLOCK SITE WALL WAS ALTERED AND
INCREASED TO A HEIGHT THAT EXCEEDS THE PERMISSIBLE
LIMIT.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$150 per day. Inspector Masula stated the owner had informed another inspector that he was applying for a variance in January 2013 but he found no record of such application. He explained that the owner had built the walls according to plans and with a permit but after work was complete and the permit closed out the owner had altered the wall. Inspector Masula was not certain of the permitted height or the current height.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day would begin to accrue and to record the order. In a roll call vote, motion **failed** 3-4 with Mr. Thilborger, Mr. Nelson, Ms. Ellis and Chair Elfman opposed.

Inspector Masula agreed to visit the property and measure the wall before the case was brought back to the Board.

Case: CE13100084

1400 Northeast 57 Street # 306
MACMURDO, RAYMOND
OCONNELL, MEGAN ET AL

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violations:

FBC(2010) 105.1

AN EXTERIOR FRAMED WALL WAS BUILT WITH SLIDING GLASS DOORS INSTALLED BASICALLY CREATING A PATIO ENCLOSURE AND INCREASING THE SQUARE FOOTAGE UNDER AIR OF THIS CONDO UNIT. THIS WORK WAS DONE WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 1604.1

AN EXTERIOR FRAMED WALL WAS BUILT WITH SLIDING GLASS DOORS INSTALLED BASICALLY CREATING A PATIO ENCLOSURE AND INCREASING THE SQUARE FOOTAGE UNDER AIR OF THIS CONDO UNIT. THIS WORK WAS DONE WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and said the owner had already applied for a permit. He recommended ordering compliance within 56 days or a fine of \$10 per day, per violation.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13101098

5871 Northeast 21 Drive
MEACHAM, JOSHUA A

Service was via posting on the property on 1/10/14 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violations:

FBC(2010) 105.4.4

PLUMBING:

A. KITCHEN - REMOVING AND REPLACING FIXTURES.

B. BATHROOMS - CUT SLAB AND RELOCATED PLUMBING ROUGH FOR TWO TOILETS AND A SHOWER. ALSO REMOVING AND REPLACING ALL RELATED PLUMBING FIXTURES SUCH AS SHOWER VALVES, SHOWER PANS, SINKS, AND FAUCETS.

FBC(2010) 105.4.5

ELECTRICAL: ADDED HIGH HAT LIGHTING THROUGHOUT THE KITCHEN AND HOUSE. ADDED ELECTRICAL OUTLETS, LIGHT FIXTURE BOXES, LIGHT SWITCH BOXES, A/C DISCONNECT ON EXTERIOR.

FBC(2010) 105.4.11

A/C UNIT REPLACED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.15

REMOVING AND REPLACING ALL THE EXTERIOR WINDOWS AND DOORS.

FBC(2010) 105.4.18

FENCE INSTALLED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 1604.1

STRUCTURAL CHANGES: THERE ARE WINDOW AND DOOR OPENINGS THAT HAVE BEEN MODIFIED FROM THE ORIGINAL OPENING SIZE. THE PATIO AREA HAS BEEN ENCLOSED TO INCREASE THE SIZE OF THE KITCHEN. THE GARAGE HAS OPENINGS CLOSED OR BLOCKED UP.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

Inspector Masula confirmed he had issued a Stop Work Order on the property on November 18, 2013 but work had continued. He had reinspected the property on November 22, 2013 and confirmed the violations. Inspector Masula read an email he had received from the property owner stating he was tending to a sick family member and requesting time to obtain permits and finish work. The owner stated work had not continued after the Stop Work Order had been issued and an architect was working on plans. Inspector Masula stated he had not seen any activity on the property in the past three weeks.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 2/25/14 or a fine of \$500 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13111309

1146 Northeast 17 Terrace
BLUECOW LLC

Service was via posting on the property on 12/27/13 and at City Hall on 1/16/14.

Robert Masula, Building Inspector, testified to the following violations:

FBC(2010) 105.1

INTERIOR REMODELING BEING DONE WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.4

PLUMBING WORK BEING DONE WITHOUT THE REQUIRED
PERMIT OR INSPECTIONS.

FBC(2010) 105.4.5

ELECTRICAL WORK BEING DONE WITHOUT THE REQUIRED
PERMIT OR INSPECTIONS.

FBC(2010) 105.4.11

A/C BEING REPLACED WITHOUT THE REQUIRED PERMIT OR
INSPECTIONS.

FBC(2010) 1604.1

CLOSED OFF EXTERIOR DOOR OPENING WITHOUT THE
REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula reported permit applications had been submitted but had failed on 1/22/14 and needed to be picked up for corrections. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13082117

807 Southwest 25 Street
MCSWAIN, BRYAN

Service was via posting on the property on 12/26/13 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, testified to the following violation:

FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH
THE ENCLOSURE OF THE CARPORT AND FRONT PORCH
WITHOUT A PERMIT.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$10 per day.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance

within 56 days, by 3/25/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13101173

2415 Castilla Isle
WHEELER, PHILIP GREGORY

Certified mail was sent to the owner.

Gerry Smilen, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH
THE MODIFIED REAR PORCH OVERHANG AND WOOD DECKING
WITHOUT A PERMIT.

FBC(2010) 105.4.8

AWNINGS HAVE BEEN INSTALLED ON THE EXTERIOR OF THE
SINGLE FAMILY HOME WITHOUT A PERMIT.

FBC(2010) 105.4.11

NEW A/C EQUIPMENT WAS INSTALLED WITHOUT A PERMIT.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$15 per day, per violation. Inspector Smilen confirmed the property was vacant.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 3/25/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE10121519

4342 North Federal Highway
GERIG GROUP LLC

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported an electrical permit was active, a plumbing permit was active and the master permit application had been approved and was pending. He recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12050676

1532 Northeast 16 Avenue
CLEMENT, JOHN

This case was first heard on 10/22/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, said the owner had informed him the structure had been removed and he had drawings from an architect. Inspector Masula recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12121548

2701 Middle River Drive # 9
DIAMOND, MATTHEW F &
DIAMOND, CARRIE

This case was first heard on 10/22/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported that the air conditioner permit had been issued and the electrical permit was expired. He recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12121549

2701 Middle River Drive # 17
DIAMOND, JOHN JOSEPH IV &
DIAMOND, MATTHEW FRANKLIN

This case was first heard on 10/22/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported as of 1/13/14 the permit was ready to be issued and recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13061765

1115 Northeast 3 Avenue
PARAMOUNT LAND TR
PARA,LUDOVIC TRSTEE

This case was first heard on 9/24/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the owner was working toward compliance and recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13050005

2820 Northeast 30 Street # 2
MARCH, GEORGE P H/E
CESARIO, LINDA

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the permit application had failed plan review and the drawings must be picked up for corrections. He recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13091177

3210 Northwest 63 Street
STYCZYNSKY, RANDALL W

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, stated there was nothing new to report and he had heard nothing from the owner.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 119-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion **failed** 0-7.

Case: CE13100524

2591 Northeast 55 Court # 106
BELFIORE, DONALD J &
BELFIORE, GRACEANN

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, stated the owner lived in New Jersey. Inspector Masula had determined that an old permit complied the electrical violation but a plumbing permit was still needed. He recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11060536

920 Northwest 9 Avenue
JAGITIANI, JAY

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, stated the church had received DRC approval and they must now obtain a permit for a change of use, which the pastor had agreed to do. Inspector Smilen recommended an extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11071956

913 Northeast 4 Avenue
HANSEN, JOHN III

This case was first heard on 11/27/12 to comply by 2/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, stated US Solar, which had caused the violations, had been evicted and the owner had hired a contractor, who was actively working on a permit.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12111407

641 Northeast 15 Avenue
LEHANE, ROBERT A

This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, stated FBC 105.1 and FBC 104.5 were complied but the plumbing violation remained and there had been no activity on that permit since November 2013. Mr. Nelson stated the electrical work had been complied 1/16/14 and the interior renovations had been complied 12/16/13.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13041115

201 Northeast 16 Avenue
HINDS, KEVIN &
LAYNE, PAUL J

This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the fence permit application had been rejected in September and had not been picked up for corrections. He recommended no extension be granted.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 119-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion **failed** 1-6 with only Ms. Hinton voting in favor.

Case: CE13070910

1108 Guava Isle
ACKEL, THOMAS S

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported he had received engineering for the pergola but he did not believe a permit application had been submitted. He agreed to contact the owner and recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13071485

1820 Southwest 21 Street
THR FLORIDA LP

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported he had not heard from the owner and the property was being rented. Nothing had changed since his last inspection and he recommended a 28-day extension so he could reinspect.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11110991

2845 Southwest 4 Street
GALLINGTON, MARILYN K

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, said the roof permit had been issued and the owner would submit applications for the rest of the work. He recommended an 84-day extension.

Motion made by Ms. Hinton, seconded by Ms. Sheppard, to grant a 84-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020791

1851 Southwest 37 Terrace
DIAZ, RAUL E
DIAZ, JORGE L

This case was first heard on 9/24/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, said there had been no effort to comply.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 147-day extension to 6/24/14, during which time no fines would accrue. In a voice vote, motion **failed** 0-7.

Case: CE11070414

711 Carolina Avenue
SFRH SF RENTAL LP

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the owners were making progress complying the violations and recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13030047

1600 Northwest 7 Terrace
RIVIERA, LUCAS & MARY

This case was first heard on 8/27/13 to comply by 10/22/13. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, stated the owner had hired a contractor but the owner had been in the hospital for surgery. He recommended a 56-day extension.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13071932

1105 Northwest 5 Avenue
JUSTIN, BRIERE

This case was first heard on 11/26/13 to comply by 1/28/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the master permit application had been picked up for correction on 1/15/14. He recommended a 56-day extension.

Motion made by Ms. Sheppard, seconded by Mr. Nelson, to grant a 56-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11092259

751 Alabama Avenue
WHYTE, LORNA B &
HARRIS, JACINDA

This case was first heard on 4/23/13 to comply by 6/25/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 1/29/14 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 1/8/14.

George Oliva, Building Inspector, reported the shutter permit had been issued and the window permit application had been submitted. He recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12051126

327 Southwest 20 Street
TOSSIO, TEDDY

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 1/29/14 and would continue to accrue until the property complied. Service was via posting on the property on 1/7/14 and at City Hall on 1/16/14.

Gerry Smilen, Building Inspector, reminded the Board that FBC 105.4.11 was the only outstanding violation. He had not heard from the owner or his representative regarding whether any work had been done.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 119-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion **failed** 0-7.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 1/29/14 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to approve the minutes of the Board's November 2013 meeting. In a voice vote, motion passed 7-0.

Communication to the City Commission

None

For the Good of the City

No discussion.

Cases Complied

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.


CE13110232	CE13060553	CE13060556	CE13081569
CE13030539	CE13101564	CE13101127	CE13020880
CE13041477	CE13061905	CE12041584	

Cases Withdrawn

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

CE13042276

There being no further business to come before the Board, the meeting adjourned at 1:43 p.m.


Chair, Code Enforcement Board

ATTEST:


Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Minutes prepared by: Jamie Opperee, ProtoType Inc.